

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

Kenneth L. Martin,

Plaintiff

v.

NAPH Care, et al.,

Defendants


Case No.: 2:19-cv-02007-JAD-BNW

**Order Granting Motion  
to Voluntarily Dismiss Case**

[ECF Nos. 6, 13]

Kenneth Martin filed this civil-rights action under 42 U.S.C. § 1983, seeking redress for the inadequate medical treatment that he claims he received while he was a detainee at the Clark County Detention Center in June of 2019. This court screened his claims, dismissed them as inadequately pled, and gave Martin leave to amend his complaint.<sup>1</sup> Instead of doing so, he moves “to have [his] case dismissed without prejudice so [he] may have more time to see if [he] want[s] to take action.”<sup>2</sup> I construe this motion as a request to voluntarily dismiss this action under Federal Rule of Civil Procedure 41(a) and grant it. Martin is cautioned that statutes of limitation may be running, or may have run on his claims, and it is his responsibility alone to ensure that any refiling of this action happens in a timely manner.

IT IS THEREFORE ORDERED that the plaintiff’s motion to dismiss [ECF No. 13] is **GRANTED and this case is DISMISSED** without prejudice. The pending motion to proceed in forma pauperis [ECF No. 6] is **DENIED** as moot, and the Clerk of Court is directed to ENTER JUDGMENT accordingly and CLOSE THIS CASE.

  
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U.S. District Judge Jennifer A. Dorsey  
Dated: March 4, 2021

<sup>1</sup> ECF No. 11.

<sup>2</sup> ECF No. 13.